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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,851	10/01/2003	David Adamczewski	P24223	7983
7055	7590	04/05/2005	EXAMINER	
GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			SHRIVER II, JAMES A	
			ART UNIT	PAPER NUMBER
			3618	

DATE MAILED: 04/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/676,851

Applicant(s)

ADAMCZEWSKI, DAVID

Examiner

J. Allen Shriver

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) 8-12 and 15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 13 and 14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>12/31/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Species 1 in the reply filed on March 1, 2005 is acknowledged.
2. Claims 8-12 and 15 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on March 1, 2005.

Priority

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 1-6 and 13-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Silva (US 2002/0014757 A1).** Silva discloses a gliding or rolling board comprising a length measured along a longitudinal direction between a first end (5) and a second end (6); a width

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measured between a first edge and a second edge (See Fig. 1); a height measured between a lower or gliding surface (40) and an upper surface (See page 2, paragraph [0051]); height-wise, the board includes a first reinforcement (58), a second reinforcement (42), and at least one core (45) located between the first reinforcement and the second reinforcement; length-wise, the board includes a first end zone, a first intermediary zone, a first receiving zone, a central zone, a second receiving zone, and a second intermediary zone and a second end zone (See Fig. 1); the core having a matrix comprising a filler material (See page 2, paragraph [0041]), the matrix having at least one cavity (See Fig. 2), at least one insert (47) housed in the cavity of the matrix in a predetermined zone of the board, the insert having at least one mechanical property greater than that of the matrix, said property being at least one of tensile strength, compressive strength, bending strength, elastic limit, or other mechanical property, so as to locally improve mechanical properties of the board; **[claim 2]** each said insert has an elongate shape and being oriented substantially along the longitudinal direction of the board (See page 2, paragraph [0042]); **[claim 3]** said at least one insert comprises an insert located substantially half-way between the first and second lateral edges (See Fig. 2); **[claim 4]** wherein said at least one insert comprises an insert extending continuously from the first receiving zone to the second receiving zone (See page 2, paragraph [0042]); **[claim 5]** wherein a through cavity is arranged in the matrix to receive said insert of said at least one insert, said insert connecting together said first reinforcement and said second reinforcement (See Fig. 4); **[claim 6]** wherein in a plane substantially parallel to the lower surface or to the upper surface, an insert of said at least one insert has a rectangular cross-section; and in a transverse plane substantially perpendicular to the lower surface or to the upper surface, said insert has a rectangular cross-section (See Fig. 2); **[claim 13]** wherein at least one

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groove is provided in the matrix (See Fig. 4); and [claim 14] wherein the matrix is made from a plastic foam and the insert in made from wood (See page 2, paragraph [0041]).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Silva (US 2002/0014757 A1) in view of Deborde et al. (US Patent 5,695,209).** Silva discloses a board as set forth above, but does not disclose wherein the insert has a corrugated surface in a plane substantially perpendicular to the lower surface or the upper surface. Deborde et al. discloses an insert (10) that has a corrugated surface (See Fig. 3). At the time of the invention, it would have been obvious to a person of ordinary skill in this art to provide the insert disclosed in Silva with a corrugated surface in a plane substantially perpendicular to the lower or upper surface of the board as taught by Deborde et al. The motivation for doing so would have been follow the contour of the ski's upper or lower surface.

Conclusion

8. The prior art made of record in the accompanying PTO Form 892 and not relied upon is considered pertinent to applicant's disclosure.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. Allen Shriver whose telephone number is (703) 308-1224. The examiner can normally be reached on Mon-Thurs 7:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris P. Ellis can be reached on (703) 305-0168. Any inquiry of a general nature or relating to the status of this application should be directed to the group receptionist whose telephone number is (703) 308-1113.

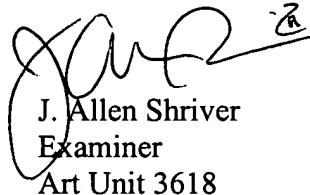
As of May 1, 2003, any response to this action should be mailed to:

Mail Stop _____
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Or faxed to: (703) 305-3597 or (703) 305-7687 (for formal communications intended for entry. (703) 746-3852 (for informal communications directly to the Examiner).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Wednesday, March 30, 2005

 3/30/05
J. Allen Shriver
Examiner
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JAS